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April 25, 2025

BY CM/ECF & FEDEX

The Honorable Mitchell S. Goldberg
U.S. District Court for the Eastern District of Pennsylvania
James A. Byrne U.S. Courthouse, Room 17614
601 Market Street
Philadelphia, PA 19106-1797

Re: *Arbutus Biopharma Corporation, et. al. v. Moderna, Inc., et. al.* C.A. No. 22-252-MSG

Dear Judge Goldberg:

I write on behalf of plaintiffs Arbutus Biopharma Corp. and Genevant Sciences GmbH (collectively, “Plaintiffs”) regarding the Moderna defendants’ emergency letter of last night (D.I. 450), which requested that the Court order relief without giving Plaintiffs an opportunity to be heard or, in the alternative, an expedited briefing schedule. *Id.* at 1 n.2.

Plaintiffs dispute that there is any emergency here, as is apparent from the correspondence attached to the Moderna defendants’ letter. Defendants’ letter seeks discovery into routine matters attendant to testing that could have been sought months ago and isn’t discoverable in any event. Nevertheless, Plaintiffs are preparing a response on an expedited basis which will be submitted no later than April 29, 2025. Plaintiffs respectfully request that the Court reserve ruling on the Moderna defendants’ requests until that time.

Counsel are available should the Court have any questions or concerns.

Respectfully submitted,

Nathan R. Hoeschen

Nathan R. Hoeschen (No. 6232)

cc: Clerk of the Court (via CM/ECF)
All Counsel of Record (via CM/ECF & Email)